

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 1. This sheet, which includes only Figure 1, replaces the original sheet including Figure 1. In Figure 1, the illustrated arrangement has been amended to include a plurality of suction heads and sensors, and suction openings.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS***Claim Status***

Currently, Claims 8 – 16 are pending.

Objections to the Drawings

The Examiner objects to the drawings under 37 C.F.R. §1.83(a) for failing to show every feature of the invention specified in the claims. More particularly, the Examiner objects to Claim 6 (plurality of suction heads, means for determining an inclined position), Claim 7 (height determination sensors), and Claim 8 (suction openings).

In Figure 1, the illustrated arrangement has been amended to include:

- a plurality of suction heads and sensors, previously recited in Claim 6 and now recited in new Claim 14; and
- suction openings in belt 1, previously recited in Claim 8 and now recited in new Claim 16.

Claim 7, which recited height determination sensors, has been cancelled. By these amendments to Figure 1, the drawings are believed to comply with 37 C.F.R. §1.83(a). No new matter has been added. Applicants respectfully request the Examiner to withdraw the objections to the drawings.

Objections to the Specification

The Examiner objects to the specification for failing to provide proper antecedent basis for the limitations of Claim 7. Claim 7 has been cancelled. New Claim 15 recites an apparatus configured to measure the heights of the items and to disregard negative pressures of suction heads that are only partially covered. The specification describes such an embodiment on page 9, lines 11 – 19. Applicants respectfully request the Examiner to withdraw the objections to the specification.

Claim Rejections – 35 U.S.C. §112

The Examiner rejects Claims 1-8 under 35 U.S.C. §112, 2nd paragraph, as being indefinite alleging that it is unclear which limitations are intended to be claimed. More particularly, the Examiner alleges that in Claim 1 it is unclear what is

meant by “inclined as little as possible” and “pressure being as low as possible” and questions the correctness of “at least one suction head arranged directly downstream of the friction-type withdrawal means”.

Further, the Examiner alleges that it is unclear what is meant by “measured values of the sensor are integrated” (Claim 3), and “height of the drive control device do not cover ... (Claim 7).

By this Amendment, Claims 1 – 8 have been cancelled. New Claims 9 – 16 are believed to be definite. Applicants respectfully request the Examiner to withdraw the rejections under 35 U.S.C. §112, 2nd paragraph.

Claim Rejections – 35 U.S.C. §102

The Examiner rejects Claims 1 and 8 under 35 U.S.C. §102(b) as being anticipated by Tomiyama et al. (US Patent No. 6,186,491). Applicants traverse for the reasons set forth hereinafter.

Claims 1 and 8 have been cancelled. New independent Claim 9 is directed to an apparatus for feeding flat items to a friction/suction-type separating arrangement. Among other features set forth in new Claim 9, the apparatus includes a conveying means configured to transport the items to a withdrawal location, at least one suction head, a sensor coupled to the suction head to measure a negative pressure in the suction head, and a drive control device coupled to the conveying means and configured to control the conveying means, wherein the drive control device activates the conveying means in dependence of the negative pressure.

In this regard, the present specification explains on page 7, lines 12 – 28:

The sensor 7 registers the negative-pressure conditions and signals to the control device when the negative pressure in the suction head 2 is too low, i.e. when the absolute pressure measured exceeds the nominal value. The drive control device then starts the conveying belt 5. The conveying belt 5 moves the stack 4 in the direction of the withdrawal belt 1. The next item is transported into the suction-attachment region, where it is gripped by the suction air and attached to the withdrawal belt 1 by suction. Since the item is then located parallel to the suction-head opening, the negative pressure increases, i.e. the absolute pressure measured decreases, the measured value of the sensor 7 reaches a settable desired value, and the conveying belt 5 is thus switched off by the drive control device and the item is withdrawn.

Hence, the subject matter defined in new Claim 9 relates to when to activate the conveying belt 5 as a function of the negative pressure. Note that the conveying belt 5 is the device that feeds the flats to the withdrawal belt 1.

Tomiyama, in contrast, describes in detail the activation of the suction belt 4, i.e., the belt that appears to correspond to the withdrawal belt 1 of the present application. However, Tomiyama describes the operation of the carrier/conveyor portion 2 only briefly:

- The carrier portion 2 serves as a sheet feed portion to push the sheets 1 in a direction of their thickness with a pushing means (not shown), thereby feeding them to a sheet extracting portion 3. (Col. 3, lines 16-19)
- The sheet 1 placed on the conveyor portion 2 is fed toward the sheet extracting portion 3. When the sheet 1 is detected by the sheet sensor 13, the pushing operation is stopped. (Col. 4, lines 1-3)

Accordingly, Tomiyama merely describes that the conveyor portion 2 is stopped when the sheet sensor detects the sheet. There is no disclosure or suggestion as to if and when to activate the conveyor portion as a function of the negative pressure. Applicants respectfully submit that Tomiyama does not disclose each and every limitation of the instant claims and reconsideration and withdrawal of the rejection is requested.

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Schweiz et al.


CONCLUSION

The present response is intended to correspond with the Revised Amendment Format. Applicants understand that with the Revised Amendment Format, the provisions of 37 CFR §1.121 are waived. Should any part of the present response not be in full compliance with the requirements of the Revised Amendment Format, the Examiner is asked to contact the undersigned for immediate correction.

No new matter has been added by way of the aforementioned amendments.

In the event that the transmittal form is separated from this document and the Patent Office determines that an extension of time and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees in connection with the filing of this document to Deposit Account No.: 502464 referencing client reference: 2001P14162WOUS. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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